

## COMMITTEE REPORT

### MR. PRESIDENT:

**The Senate Committee on Commerce and Consumer Affairs, to which was referred House Bill No. 1738, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:**

- 1       Page 1, line 4, after "peace" insert ",".
- 2       Page 3, line 11, delete "Enable" and insert "enable".
- 3       Page 3, line 14, after "(2)" delete "Accommodate" and insert
- 4       "accommodate".
- 5       Page 3, between lines 16 and 17, begin a new paragraph and insert:
- 6       "SECTION 9. IC 7.1-3-17.5-5 IS AMENDED TO READ AS
- 7       FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 5. The commission may
- 8       adopt rules under IC 4-22-2 concerning the following for an excursion
- 9       permit and an adjacent landsite permit:
- 10       (1) Issuance.
- 11       (2) Scope.
- 12       (3) Permit fee.
- 13       (4) Expiration.
- 14       (5) Revocation and suspension.
- 15       **(6) Exceptions to IC 7.1-5-5-7(a) allowing discrimination**
- 16       **between purchasers in the granting of prices, discounts,**
- 17       **allowances, or service charges in the sale of alcoholic**
- 18       **beverages."**
- 19       Page 3, line 24, delete "only".
- 20       Page 3, line 24, after "issued" insert "**only**".

- 1       Page 3, line 27, delete "structure," and insert "**structure**".
- 2       Page 3, line 31, delete "address," and insert "**address**".
- 3       Page 4, line 15, after "provide" delete "the".
- 4       Page 5, between lines 15 and 16, begin a new paragraph and insert:
- 5       "SECTION 15. IC 7.1-5-5-7, AS AMENDED BY P.L.204-2001,
- 6       SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 7       JULY 1, 2003]: Sec. 7. (a) **Except as authorized by an exception in**
- 8       **rules adopted under IC 7.1-3-17.5-5(6)**, it is unlawful for a permittee
- 9       in a sale or contract to sell alcoholic beverages to discriminate between
- 10      purchasers by granting a price, discount, allowance, or service charge
- 11      which is not available to all purchasers at the same time. However, this
- 12      section does not authorize or require a permittee to sell to a person to
- 13      whom he is not authorized to sell under this title.
- 14      (b) A premises that operates at least two (2) restaurants that are
- 15      separate and distinct from each other on the same premises may
- 16      provide for a different schedule of prices in each restaurant if each
- 17      restaurant conforms to all other laws and rules of the commission
- 18      regarding pricing and price discrimination in its separate and distinct
- 19      areas.".
- 20      Page 5, delete lines 16 through 42.
- 21      Page 6, delete lines 1 through 18.
- 22      Renumber all SECTIONS consecutively.
- (Reference is to HB 1738 as reprinted March 4, 2003.)

**and when so amended that said bill do pass.**

Committee Vote: Yeas 6, Nays 0.

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Server

Chairperson